

# AGENDA

## *REGULAR MEETING OF COUNCIL*

**Monday, January 19, 2015**

**7:00 p.m.**

**Council Chamber, Municipal Hall**

**355 West Queens Road,**

**North Vancouver, BC**

**Council Members:**

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



[www.dnv.org](http://www.dnv.org)

THIS PAGE LEFT BLANK INTENTIONALLY

## REGULAR MEETING OF COUNCIL

7:00 p.m.  
Monday, January 19, 2015  
Council Chamber, Municipal Hall,  
355 West Queens Road, North Vancouver

### AGENDA

#### BROADCAST OF MEETING

- Live broadcast on Shaw channel 4
- (Re)Broadcast on Shaw channel 4 at 9:00 a.m. Saturday
- Online at [www.dnv.org](http://www.dnv.org)

#### 1. ADOPTION OF THE AGENDA

##### 1.1. January 19, 2015 Regular Meeting Agenda

*Recommendation:*

THAT the agenda for the January 19, 2015 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

#### 2. PUBLIC INPUT

(limit of three minutes per speaker to a maximum of thirty minutes total)

#### 3. PROCLAMATIONS

#### 4. RECOGNITIONS

#### 5. DELEGATIONS

#### 6. ADOPTION OF MINUTES

##### 6.1. November 17, 2014 Regular Council Meeting

p. 11-14

*Recommendation:*

THAT the minutes of the November 17, 2014 Regular Council meeting be adopted.

##### 6.2. December 8, 2014 Special Council Meeting

p. 15-16

*Recommendation:*

THAT the minutes of the December 8, 2014 Special Council meeting be adopted.

##### 6.3. December 15, 2014 Regular Meeting of Council

p. 17-26

*Recommendation:*

THAT the minutes of the December 15, 2014 Regular Council meeting be adopted.

**7. RELEASE OF CLOSED MEETING DECISIONS**

**8. COMMITTEE OF THE WHOLE REPORT**

**9. REPORTS FROM COUNCIL OR STAFF**

With the consent of Council, any member may request an item be added to the Consent Agenda to be approved without debate.

If a member of the public signs up to speak to an item, it shall be excluded from the Consent Agenda.

\*Staff suggestion for consent agenda.

*Recommendation:*

THAT items \_\_\_\_\_ be included in the Consent Agenda and be approved without debate.

- \* **9.1. Acting Mayor January 21 - 28, 2015** **p. 29**  
File No. 01.0115.30/002.000

*Recommendation:*

THAT Councillor Bassam is designated as Acting Mayor for the period January 21 – 28, 2015 inclusive.

- \* **9.2. Code of Ethics Policy** **p. 31-46**  
File No. 01.0530

*Recommendation:*

THAT the December 11, 2014 report to the Confidential Council Clerk entitled Code of Ethics Policy be received;

AND THAT the amended Code of Ethics policy be approved.

- 9.3. Deep Cove Parking and Access Study Resolution – December 15, 2014** **p. 47-48**  
File No. 01.0115.30/002.000

*Recommendation:*

THAT the December 15, 2014 Council resolution on “Deep Cove Parking and Access Study: Finalizing the Plan” is rescinded.

*After rescission of the resolution, the following resolution would be in order under the new circumstances:*

THAT Deep Cove stakeholders be engaged in an independently-facilitated dialogue that results in an implementation plan for parking solutions;

AND THAT staff report back for Council’s consideration of endorsement of a Deep Cove Parking Plan in early 2015.



**9.4. 1378 Main Street - Toby's Restaurant - Transfer of Liquor Primary Licence from the Lynnwood Inn to Toby's Restaurant**  
File No. 3060.20/046.14

**p. 49-56**

*Recommendation:*

THAT Council pass the following resolution in relation to the requested endorsements to a liquor licence:

"Be it resolved that:

1. The Council recommends the transfer of the Liquor Primary Licence from the now closed Lynnwood Inn to Toby's Restaurant at 1378 Main Street for the following reasons:

*The requested transfer of the liquor licence is supported by District Council as the proposal will allow for the establishment to continue to operate as a family restaurant until 10 p.m. and then provide for an alternative late night adult venue. The establishment is located primarily within a commercial and industrial area and generally removed from residences.*

2. The Council's comments on the prescribed considerations are as follows:

- (a) The location of the establishment:

*The location is in an area removed from nearby residences and is suitable for a late evening entertainment venue and exterior patio where some late night noise at closing time can be anticipated. Any live or amplified music will be contained within the building.*

- (b) The proximity of the establishment to other social or recreational facilities and public buildings:

*The proposed location is in a commercial area/industrial area and will not conflict with any nearby social, recreation, or public buildings.*

- (c) The person capacity and hours of liquor service of the establishment:

*The maximum capacity of 168 people within the restaurant and 40 people on the patio is acceptable and remains unchanged from the current restaurant capacity requirements; and*

*Council recommends that the liquor primary licence be issued with the following closing hours which are in keeping with other liquor primary establishments in the surrounding area:*

<b>Days of the Week</b>	<b>Closing Hours</b>
<i>Monday through Thursday</i>	<i>1 a.m. the following morning</i>
<i>Friday and Saturday</i>	<i>2 a.m. the following morning</i>
<i>Sunday</i>	<i>12 a.m. midnight</i>

- (d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance from the establishment:

*Following the closure of the Lynnwood Inn the proposed transfer of the liquor licence will provide for a new licenced establishment in the area and fill a niche in the community for those wanting an alternative venue for adult socializing in the later evening. The closest alternative liquor primary establishments are Narrow's Pub (1970 Spicer Road) and Seymour's Pub (720 Lillooet Road).*

- (e) The impact of noise on the community in the immediate vicinity of the establishment:

*The location is in an area that is primarily commercial and light industrial area, therefore, noise concerns affecting the community in the immediate vicinity are expected to be minimal.*

- (f) The impact of the community if the application is approved:

*Negative impact on the community will be negligible. The restaurant will continue to function primarily as a restaurant until 10 p.m.; after 10 p.m. the restaurant will function as a pub with reduced kitchen services providing an alternative venue for late evening adult socializing.*

3. The Council's comments on the views of residents are as follows:

*To address the Provincial requirement staff completed the following notification procedure in accordance with District Public Notification Policy:*

- *A Public Notice sign was placed on the site; and*
- *A notice was sent out to all adjacent property owners and occupants requesting input on the proposal.*

*Two responses were received and both respondents supported the change to a liquor primary licence for Toby's Restaurant.*

**9.5. Bylaw 8095 (Rezoning Bylaw 1321): Subdivision of 3967 Hoskins Road** **p. 57-62**  
File No. 08.3060.20/036.14

*Recommendation:*

THAT the "District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095) to allow for two 10.8m lots at 3967 Hoskins Rd is given FIRST reading;

AND THAT the "District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095)" is referred to a Public Hearing.

**9.6. Bylaw 8098 (Rezoning Bylaw 1323): Subdivision of 2698 Violet Street** **p. 63-68**  
File No. 08.3060.20/037.14

*Recommendation:*

THAT the District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098) to allow for two 10m lots at 2698 Violet Street is given FIRST reading;

AND THAT the District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098) is referred to a Public Hearing.

**9.7. Council of Councils Meeting: North Shore Transportation Issues**

**p. 69-71**

File No.

*Recommendation:*

THAT the District of North Vancouver Council call on the Councils of North Vancouver City and West Vancouver to agree to form a tri-municipal Transportation Working Group to review the current North Shore Area Transit Plan; the proposed TransLink 10 Year Investment Plan; and any other relevant transportation plans to determine where gaps exist to meet North Shore public transportation needs;

AND THAT the District of North Vancouver Council request the convening of a North Vancouver Council of Councils meeting at the earliest opportunity, and well before the referendum, to review the finding of the working group and clarify and communicate the public transportation needs and demands of the North Shore to the TransLink and the Province as they relate to the existing and proposed plans.

**10. REPORTS**

**10.1. Mayor**

**10.2. Chief Administrative Officer**

**10.3. Councillors**

**10.4. Metro Vancouver Committee Appointees**

**11. ANY OTHER BUSINESS**

**12. ADJOURNMENT**

*Recommendation:*

THAT the January 19, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.

THIS PAGE LEFT BLANK INTENTIONALLY

## MINUTES

THIS PAGE LEFT BLANK INTENTIONALLY

## **DISTRICT OF NORTH VANCOUVER REGULAR MEETING OF COUNCIL**

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:01 p.m. on Monday, November 17, 2014 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor R. Hicks  
Councillor M. Little  
Councillor D. MacKay-Dunn  
Councillor L. Muri  
Councillor A. Nixon

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. B. Bydwell, General Manager – Planning, Properties & Permits  
Mr. J. Gordon, Manager – Administrative Services  
Ms. J. Paton, Manager – Development Planning  
Ms. L. Brick, Deputy Municipal Clerk  
Mr. P. Chapman, Social Planner  
Ms. S. Vukelic, Confidential Council Clerk

### **1. ADOPTION OF THE AGENDA**

#### **1.1. November 17, 2014 Regular Meeting Agenda**

**MOVED by Councillor MURI**

**SECONDED by Councillor NIXON**

THAT the agenda for the November 17, 2014 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

**CARRIED**

### **2. PUBLIC INPUT**

#### **2.1. Mr. Gregan Dunn, 2100 Block Banbury Road:**

- Expressed concern with the noise generated by the buses on Banbury Road and proposed possible solutions.

#### **2.2. Mr. Doug Curran, 2000 Block Curling Road:**

- Suggested that candidates running in a Local Government Election should sign a Code of Ethics.

#### **2.3. Mr. Eric Anderson, 2500 Block Derbyshire Way:**

- Thanked Councillors Little and Nixon for their service on Council.

### **3. PROCLAMATIONS**

**3.1. Adoption Awareness Month – November 2014**

**3.2. Buy Local Week – December 1-7, 2014**

**4. RECOGNITIONS**

Nil

**5. DELEGATIONS**

Nil

**6. ADOPTION OF MINUTES**

Nil

**7. RELEASE OF CLOSED MEETING DECISIONS**

Nil

**8. COMMITTEE OF THE WHOLE REPORT**

Nil

**9. REPORTS FROM COUNCIL OR STAFF**

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT item 9.1 be included in the Consent Agenda and be approved without debate.

**CARRIED**

**9.1. Bylaw 8088: Fees and Charges Bylaw 6481, 1992 Amendment Bylaw 8088, 2014 (Amendment 44)**

File No.

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT “District of North Vancouver Fees and Charges Bylaw 6481, 1992, Amendment Bylaw 8088, 2014 (Amendment 44)” is ADOPTED.

**CARRIED**

**9.2. Bylaws 8041, 8042, 8043, 8084: Mixed Use Development 2035 Fullerton Avenue (Larco)**

File No. 08.3060.20/017.10

**MOVED by Councillor LITTLE**

**SECONDED by Councillor NIXON**

THAT “The District of North Vancouver Rezoning Bylaw 1307 ( Bylaw 8041)” is ADOPTED.



THAT “Phased Development Agreement Bylaw 8042, 2014” is ADOPTED.

THAT “Housing Agreement Bylaw 8043, 2014” is ADOPTED.

THAT “Housing Agreement Bylaw 8084, 2014” is ADOPTED.

**CARRIED**

Opposed: Councillors MACKAY-DUNN and MURI

**9.3. Bylaw 8036: Coach Houses**

File No. 13.6480.20/003.000

**MOVED by Councillor NIXON**

**SECONDED by Councillor MURI**

THAT the District of North Vancouver Rezoning Bylaw 1305 (Bylaw 8036) is ADOPTED.

THAT the Coach House Program be reviewed in 18 months and staff report back to Council with their findings.

**CARRIED**

Opposed: Councillor Bassam

**9.4. Bylaw 8092: 2014-2018 Consolidated Financial Plan –  
Bylaw Amendment 1**

File No. 05.1780.01

**MOVED by Councillor HICKS**

**SECONDED by Councillor BASSAM**

THAT “2014 - 2018 Consolidated Financial Plan Approval Bylaw 8057, 2014, Amendment Bylaw 8092, 2014” is given FIRST, SECOND, and THIRD Readings.

**CARRIED**

**10. REPORTS**

**10.1. Mayor**

Nil

**10.2. Chief Administrative Officer**

Nil

### **10.3. Councillors**

Councillors Little and Nixon expressed their appreciation to staff, residents and fellow Council members as well as highlighted past achievements attained during their time on Council.

Mayor Walton expressed his best wishes for Councillors Mike Little and Alan Nixon in their future endeavours. He also commented on the healthy relations that Council has and the support they provide each other.

### **10.4. Metro Vancouver Committee Appointees**

Nil

## **11. ANY OTHER BUSINESS**

Nil

## **12. ADJOURNMENT**

**MOVED by Councillor LITTLE**

**SECONDED by Councillor NIXON**

THAT the November 17, 2014 Regular Meeting of Council for the District of North Vancouver be adjourned.

**CARRIED**  
(7:43 pm)

---

Mayor

---

Municipal Clerk

**DISTRICT OF NORTH VANCOUVER  
SPECIAL MEETING OF COUNCIL**

Minutes of the Special Meeting of the Council for the District of North Vancouver held at 6:10 p.m. on Monday, December 8, 2014 in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor M. Bond  
Councillor J. Hanson  
Councillor R. Hicks  
Councillor D. MacKay-Dunn  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. B. Bydwell, General Manager – Planning, Properties & Permits  
Ms. N. Deveau, General Manager – Finance & Technology  
Ms. C. Grant, General Manager – Corporate Services  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. R. Danyluk, Manager – Financial Planning  
Mr. J. Gordon, Manager – Administrative Services  
Mr. S. Ono, Manager – Engineering Services  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. A. Mauboules, Social Planner  
Ms. S. Vukelic, Confidential Council Clerk

**1. REPORTS FROM COUNCIL OR STAFF**

**1.1. Bylaw 8092: 2014-2018 Consolidated Financial Plan – Amendment 1**  
File No. 05.1780/

**MOVED by Councillor HICKS**

**SECONDED by Councillor MACKAY-DUNN**

THAT “2014-2018 Consolidated Financial Plan Approval Bylaw 8057, 2014, Amendment Bylaw 8092, 2014 (Amendment 1)” is ADOPTED.

**CARRIED**

**1.2. 2014 Utility Rate Bylaws**  
File No. 05.1715.20/20

**1.2.1. Bylaw 8089: Solid Waste Collection and Recycling Service Fees - 2015**  
File No. 05.1700.2015

**MOVED by Councillor BASSAM**

**SECONDED by Councillor HICKS**

THAT the “Solid Waste Removal Bylaw 7631, 2007, Amendment Bylaw 8089, 2014 (Amendment 10)” is given FIRST, SECOND and THIRD Reading.

**CARRIED**

- 1.2.2. Bylaw 8091: Sewer and Drainage User Charges and Sewer Connection Fees 2015 – 3% Option**  
File No. 05.1700.2015

**MOVED by Councillor HICKS**  
**SECONDED by Councillor BASSAM**

THAT the “Sewer Bylaw 6656, 1994, Amendment Bylaw 8091, 2014 (Amendment 24)” is given FIRST, SECOND and THIRD Reading.

**CARRIED**

- 1.2.3. Bylaw 8090: Water User Charges and Water Connection Fees – 2015**  
File No. 05.1700.2015

**MOVED by Councillor HICKS**  
**SECONDED by Councillor MACKAY-DUNN**

THAT the “Waterworks Regulation Bylaw 2279, 1958, Amendment Bylaw 8090, 2014 (Amendment 59)” is given FIRST, SECOND and THIRD Reading.

**CARRIED**

- 1.3. Novaco Childcare Centre Funding Support**  
File No.10.4750.30/019.000

**MOVED by Councillor MURI**  
**SECONDED by Councillor BASSAM**

THAT Council support the rebuild of the Novaco Childcare Centre in Lower Capilano by providing a one-time grant to the operator, North Shore Neighbourhood House, for a total of \$44,000 to be held in reserve until the society can fundraise the remaining amount; and,

THAT the funds are taken from unallocated 2014-2015 Lower Capilano core funding.

**CARRIED**

## **2. ADJOURNMENT**

**MOVED by Councillor MURI**  
**SECONDED by Councillor BASSAM**

That the Special Meeting of Council for the District of North Vancouver be adjourned.

**CARRIED**  
(6:26 pm)

---

Mayor

---

Municipal Clerk

## **DISTRICT OF NORTH VANCOUVER REGULAR MEETING OF COUNCIL**

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:04 p.m. on Monday, December 15, 2014 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor R. Walton  
Councillor R. Bassam (7:05 pm)  
Councillor M. Bond  
Councillor J. Hanson  
Councillor D. MacKay-Dunn  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Ms. J. Paton, Acting General Manager – Planning, Properties, & Permits  
Mr. J. Gordon, Manager – Administrative Services  
Ms. C. Walker, Chief Bylaw Officer  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. E. Geddes, Section Manager - Transportation  
Ms. S. Dale, Confidential Council Clerk  
Ms. C. Rucci, Social Planner

### **1. ADOPTION OF THE AGENDA**

#### **1.1. December 15, 2014 Regular Meeting Agenda**

**MOVED by Councillor MURI**

**SECONDED by Councillor HANSON**

THAT the agenda for the December 15, 2014 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

**CARRIED**

### **2. PUBLIC INPUT**

#### **2.1. Mr. John Sharpe, 1100 Block East 29th Street:**

- Questioned when the independent Fromme Mountain trail assessment done by Diamond Head Consulting will be released publically.

Mr. Gavin Joyce, General Manager – Engineering, Parks & Facilities, advised that the report has been submitted, is going through a staff review and will be brought forward to a public meeting in January 2015.

### **3. PROCLAMATIONS**

#### **3.1. The Year of Women in Sport - 2015**

#### **3.2. Ugly Christmas Sweater Day – December 19, 2014**

#### **4. RECOGNITIONS**

Nil

#### **5. DELEGATIONS**

##### **5.1. Tom Walker, North Shore Safety Council**

Re: 60<sup>th</sup> Anniversary of North Shore Safety Council.

Mr. Tom Walker, North Shore Safety Council, provided an update on the history of the North Shore Safety Council as well as their current activities. Mr. Walker thanked Council for support during the North Shore Safety Council's sixtieth anniversary.

**MOVED by Councillor MACKAY-DUNN**

**SECONDED by Councillor BASSAM**

THAT the North Shore Safety Council delegation be received for information.

**CARRIED**

##### **5.2. Gurdip Sahota & Paul Gill, North Shore Taxi (1996) Ltd.**

Re: Request to stop Uber from operating in North Vancouver.

Mr. Gurdip Sahota, North Shore Taxi (1996) Ltd. and Mr. Paul Gill, Sunshine Cabs, spoke regarding transportation safety. Mr. Sahota sought the District of North Vancouver's support to reaffirm its commitment to enforce current vehicle for hire bylaws for all vehicles for hire within the District and for Council to request that the Ministry of Transportation and Infrastructure enforce the existing legislation pertaining to the taxi industry in BC.

Ms. Carol Walker, Chief Bylaw Officer, advised that staff have met with the Passenger Transportation Branch and are addressing concerns. Ms. Walker noted that the Ministry of Transportation and Infrastructure have commented that the Province will seek enforcement and follow up with fines in an effort to create a level playing field for all businesses in this industry. Ms. Walker advised that the District of North Vancouver will continue to monitor enforcement.

**MOVED by Councillor BASSAM**

**SECONDED by Councillor MACKAY-DUNN**

THAT the North Shore Taxi delegation be received for information.

**CARRIED**

**MOVED by Councillor MACKAY-DUNN**

**SECONDED by Councillor BASSAM**

THAT Council request a staff report including the following information:

- The number of licenced cabs on the North Shore;
- How is the increase of cabs is determined by the Ministry;
- What is the cost of a taxi license;
- Why is the cost of insurance so high; and,

- Identify any impacts that Uber has operating in different cities.

**CARRIED**

OPPOSED: Mayor WALTON and Councillors BOND and MURI

**MOVED by Mayor WALTON**

**SECONDED by Councillor MACKAY-DUNN**

THAT Council request that the Ministry of Transportation and Infrastructure enforce the existing legislation pertaining to the taxi industry in BC.

**CARRIED**

## **6. ADOPTION OF MINUTES**

### **6.1. October 20, 2014 Regular Council Meeting**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor MURI**

THAT the minutes of the October 20, 2014 Regular Council meeting be adopted.

**CARRIED**

### **6.2. November 3, 2014 Regular Council Meeting**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor MURI**

THAT the minutes of the November 3, 2014 Regular Council meeting be adopted.

**CARRIED**

### **6.3. December 1, 2014 Inaugural Council Meeting**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor MURI**

THAT the minutes of the December 1, 2014 Inaugural Council meeting be adopted.

**CARRIED**

## **7. RELEASE OF CLOSED MEETING DECISIONS**

### **7.1. December 8, 2014 Closed Special Meeting of Council**

#### **7.1.1. Advisory Oversight Committee Recommendations and Appointments**

##### **Advisory Design Panel**

THAT Greg Travers is re-appointed to the Advisory Design Panel for a term ending December, 2016;

AND THAT Dan Parke is appointed to the Advisory Design Panel for a term ending December, 2016;

AND THAT Samir Eidnani is appointed to the Advisory Design Panel for a term ending December, 2016;

AND THAT this resolution be release to the public.

#### **North Vancouver Recreation and Culture Commission**

THAT David Porter is appointed to the North Vancouver Recreation & Culture Commission for a three year term ending December 2017;

AND THAT Allison Rzen is re-appointed to the North Vancouver Recreation Commission for a one year term ending December 2015;

AND THAT Doug Green is re-appointed to the North Vancouver Recreation & Culture Commission for a three year term ending December 2017;

AND THAT James Heth is re-appointed to the North Vancouver Recreation & Culture Commission for a three year term ending December 2017;

AND THAT this resolution be release to the public.

#### **7.1.2. Award of Contract for Curbside Recyclables Collection**

THAT Council authorize staff to proceed with awarding a North Shore Curbside Recyclables Collection contract to Smithrite Disposal Ltd. (Smithrite), generally in the form of the agreement included as Attachment 1 to the joint report of the Section Manager – Waste Reduction and Manager – Engineering Services/Deputy General Manager, dated December 1, 2014, for five years commencing on July 1, 2015 and ending on June 30, 2020, in partnership with the City of North Vancouver (CNV) and the District of West Vancouver (DWV), with the contract having a total annual cost in the first year of \$2,794,932, and providing for price adjustments for CPI, fuel surcharges, and growth in the number of households collected;

AND THAT the award of a North Shore Curbside Recyclables Collection contract be subject to negotiation of an amended contract administration agreement between the District of North Vancouver, the City of North Vancouver, and the District of West Vancouver to satisfaction of the CAO; and,

AND THAT this recommendation be released to the public.

### **8. COMMITTEE OF THE WHOLE REPORT**

#### **8.1. December 8, 2014 Committee of the Whole**

##### **8.1.1. 2015 Acting Mayor Schedule**



**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT the 2015 Acting Mayor Schedule be as follows:

<b>2015 Acting Mayor Dates</b>		
December 5, 2014	January 4, 2015	Lisa Muri
January 5, 2015	February 4, 2015	Robin Hicks
February 5, 2015	March 7, 2015	Robin Hicks
March 8, 2015	April 7, 2015	James Hanson
April 8, 2015	May 8, 2015	Roger Bassam
May 9, 2015	June 8, 2015	Roger Bassam
June 9, 2015	July 9, 2015	Lisa Muri
July 10, 2015	August 9, 2015	James Hanson
August 10, 2015	September 9, 2015	Mathew Bond
September 10, 2015	October 10, 2015	Mathew Bond
October 11, 2015	November 10, 2015	Doug MacKay-Dunn
November 11, 2015	December 11, 2015	Doug MacKay-Dunn

**CARRIED**

#### **8.1.2. 2015 Council Liaison Appointments**

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT the 2015 Council Committee Appointments be as follows:

<b>2015 Council Appointments</b>	
<b>Committee</b>	<b>Appointees</b>
Finance and Audit Committee	Robin Hicks Richard Walton Doug MacKay-Dunn
North Vancouver Police Committee	Richard Walton Doug MacKay-Dunn
Advisory Oversight Committee	Roger Bassam Doug MacKay-Dunn Lisa Muri
Lower Lynn Interchanges Community Working Group	Roger Bassam
North Shore Chamber of Commerce	Robin Hicks
Community Monitoring Advisory Committee	Doug MacKay-Dunn Alternate: Robin Hicks

North Vancouver Museum & Archives Commission	Robin Hicks
Parcel Tax Roll Review Panel	Robin Hicks Doug MacKay-Dunn Lisa Muri
North Shore Substance Abuse Working Group	Doug MacKay-Dunn
Vancouver Coastal Health Authority / North Shore Liaison Group	Doug MacKay-Dunn
North Vancouver Recreation Commission	Lisa Muri Mathew Bond
Library Board	Jim Hanson
North Shore Advisory Committee on Disability Issues	Jim Hanson
North Shore Emergency Management Office	Lisa Muri

**CARRIED**

**8.1.3. Deep Cove Parking and Access Study: Finalizing the Plan November 25, 2014**

**MOVED by Councillor MURI**

**SECONDED by Councillor BOND**

THAT Deep Cove stakeholders be engaged in an independently-facilitated dialogue that results in an implementation plan for parking solutions; and,

THAT staff report back for Council's consideration of endorsement of a Deep Cove Parking Plan in early 2015.

**CARRIED**

**9. REPORTS FROM COUNCIL OR STAFF**

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT items 9.1, 9.2, 9.3, 9.4, and 9.5 be included in the Consent Agenda and be approved without debate.

**CARRIED**

- 9.1. Bylaw 8089: Solid Waste Removal Bylaw  
Bylaw 8090: Waterworks Bylaw  
Bylaw 8091: Sewer Bylaw**  
File No. 05.1700.2015

**MOVED by Councillor MURI  
SECONDED by Councillor BASSAM**

THAT the "Solid Waste Removal Bylaw 7631, 2007, Amendment Bylaw 8089, 2014 (Amendment 10)" is ADOPTED.

THAT the "Waterworks Regulation Bylaw 2279, 1958, Amendment Bylaw 8090, 2014 (Amendment 59)" is ADOPTED.

THAT the "Sewer Bylaw 6656, 1994, Amendment Bylaw 8091, 2014 (Amendment 24)" is ADOPTED.

**CARRIED**

- 9.2. 2015 Council Meeting Schedule**  
File No. 01.0530.01/000.000

**MOVED by Councillor MURI  
SECONDED by Councillor BASSAM**

THAT the 2015 Council Meeting Schedule, attached to the December 9, 2014 report of the Deputy Municipal Clerk, be adopted.

**CARRIED**

- 9.3. Appointment of Alternate GVRD Director**  
File No. 01.0115.30/002.000

**MOVED by Councillor MURI  
SECONDED by Councillor BASSAM**

THAT Councillor MacKay-Dunn is appointed as the Alternate Municipal Director to the Greater Vancouver Regional District Board.

**CARRIED**

- 9.4. Revision to the Terms of Reference of the Finance and Audit  
Standing Committee**  
File No.

**MOVED by Councillor MURI  
SECONDED by Councillor BASSAM**

THAT the Finance and Audit Standing Committee Terms of Reference, as attached to the December 9, 2014 report of the General Manager – Finance & Technology entitled Revision to the Terms of Reference of the Finance and Audit Standing Committee, be approved.

**CARRIED**

**9.5. Interim Funding for Selected Agencies for 2015**

File No. 05.1930

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT the following core funded organizations receive interim funding totalling \$301,593 in January 2015, which is equivalent to approximately one half of the proposed 2015 Operating Grant and distributed as follows:

Capilano Community Services Society	\$56,956
North Shore Neighbourhood House	\$55,181
Boys' and Girls' Club of Greater Vancouver (Norvan)	\$13,087
Parkgate Community Services Society	\$99,500
Silver Harbour Centre Society	\$54,769
Lynn Valley Services Society (Mollie Nye House)	\$22,100

THAT the balance of the 2015 operating grant be paid in June following approval of the budget; and,

THAT if any increases requested by the above agencies are approved by Council as part of the 2015 budget process, that these increases are reflected in the final payment provided to each agency in the final disbursement in June 2015 as described above.

**CARRIED**

**9.6. Bylaws 8080 and 8094: Rezoning and Housing Agreement -  
Bylaws for a 16 Unit Apartment Project at 1591 Bowser Avenue**

File No. 08.3060.20/20.14

Public Input:

Mr. Richard Cook, 100 Block Abbott Street, Vancouver:

- Spoke in support of the proposed application;
- Advised that he is here to answer questions regarding this application;
- Commented on the diversity of the proposed units;
- Noted that the proposed project will achieve a building performance equivalent to Built Green 'Gold';
- Commented on the positive feedback received from public meetings; and,
- Urged Council to approve the proposed development.

**MOVED by Councillor BASSAM**

**SECONDED by Councillor BOND**

THAT "The District of North Vancouver Rezoning Bylaw 1317 (Bylaw 8080)" which rezones the subject site from Marine Drive Commercial Zone ( C9) to Comprehensive Development Zone 83 (CD83) to enable the development of a 16 unit apartment project, is given FIRST Reading;

THAT "Housing Agreement Bylaw 8094, 2014 (1591 Bowser Avenue)" which authorizes a Housing Agreement to prevent future rental restrictions on the subject property, is given FIRST Reading; and,

THAT Bylaw 8080 be referred to a Public Hearing.

**MOVED by Councillor MURI**

**SECONDED by Councillor HANSON**

THAT this item be postponed to a date following the planned discussion on the pace of development.

**DEFEATED**

OPPOSED: Mayor WALTON and Councillors BASSAM, BOND, and HICKS

The question was called on the main motion.

**MOVED by Councillor BASSAM**

**SECONDED by Councillor BOND**

THAT “The District of North Vancouver Rezoning Bylaw 1317 (Bylaw 8080)” which rezones the subject site from Marine Drive Commercial Zone (C9) to Comprehensive Development Zone 83 (CD83) to enable the development of a 16 unit apartment project, is given FIRST Reading;

THAT “Housing Agreement Bylaw 8094, 2014 (1591 Bowser Avenue)” which authorizes a Housing Agreement to prevent future rental restrictions on the subject property, is given FIRST Reading; and,

THAT Bylaw 8080 be referred to a Public Hearing.

**CARRIED**

OPPOSED: Councillors HANSON, MACKAY-DUNN, and MURI

**9.7. Bylaw 8087: Amendment to the Zoning Bylaw at 1000 Roosevelt Crescent**

File No. 08.3060.20/038.14

**MOVED by Councillor BASSAM**

**SECONDED by Councillor HANSON**

THAT “The District of North Vancouver Rezoning Bylaw 1320 (Bylaw 8087)” which amends the Comprehensive Development 3 Zone (CD3) at 1000 Roosevelt Crescent, is given FIRST Reading;

AND THAT Bylaw 8087 is referred to a Public Hearing.

**CARRIED**

**10. REPORTS**

**10.1. Mayor**

**10.1.1. Mayor’s Special One Time Contingency Fund**

The following request for one time funding from the Mayor’s contingency fund has been granted:

December 2014    \$1,000.00    Park & Tilford Holiday Hi Lites Festival

**10.2. Chief Administrative Officer**

Nil

**10.3. Councillors**

Councillor Muri reported on her attendance at the North Shore Harvest Project banquet and advised that Western Stevedoring presented the Harvest Foundation with a \$75,000 cheque.

**10.4. Metro Vancouver Committee Appointees**

Nil

**11. ANY OTHER BUSINESS**

Nil

**12. ADJOURNMENT**

**MOVED by Councillor MURI**

**SECONDED by Councillor HANSON**

THAT the December 15, 2014 Regular Meeting of Council for the District of North Vancouver be adjourned.

**CARRIED**  
(8:30 pm)

---

Mayor

---

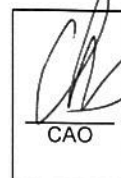
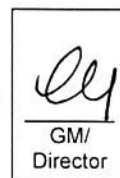
Municipal Clerk

## REPORTS

THIS PAGE LEFT BLANK INTENTIONALLY



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>January 19, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

January 7, 2015  
File: 01.0115.30/002.000

**AUTHOR:** Linda Brick, Deputy Municipal Clerk

**SUBJECT:** Acting Mayor January 21 – 28, 2015

**RECOMMENDATION:**

THAT Councillor Bassam is designated as Acting Mayor for the period January 21 – 28, 2015 inclusive.

**BACKGROUND:**

Councillor Hicks is designated as Acting Mayor for January 5, 2015 – February 4, 2015. It has been agreed between Councillors Hicks and Bassam that Councillor Bassam will assume the responsibility of Acting Mayor for the period of January 21 – 28, 2015 inclusive. This change requires a resolution of Council.

**Options:**

1. Appoint Councillor Bassam as the Acting Mayor for January 21 – 28, 2015 inclusive.
2. Propose another name for consideration as Acting Mayor for the required time period.

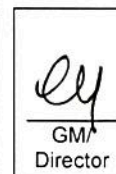
Respectfully submitted,

Linda Brick  
Deputy Municipal Clerk

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

THIS PAGE LEFT BLANK INTENTIONALLY

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>January 19, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

December 11, 2014  
File: 01.0530

**AUTHOR:** Shannon Dale, Confidential Council Clerk

**SUBJECT:** Code of Ethics Policy

**RECOMMENDATION:**

THAT the December 11, 2014 report of the Confidential Council Clerk entitled Code of Ethics Policy be received;

AND THAT the amended Code of Ethics Policy be approved.

**REASON FOR REPORT:**

To amend the Code of Ethics Policy.

**BACKGROUND:**

The Code of Ethics Policy currently refers to three policies on Anti-Harassment, Positive Workplace, and Complaint Resolution. These three policies were combined into the new Positive Workplace Environment: Anti-bullying and Harassment Policy in June 2014. The Code of Ethics Policy needs to be updated to reflect this change.

**EXISTING POLICY:**

The current Code of Ethics Policy has been in place since November 28, 2000.

**CONCLUSION:**

Staff recommend that the Code of Ethics Policy be amended.

Respectfully submitted,

A blue ink signature of Shannon Dale.

Shannon Dale  
Confidential Council Clerk

**Attachments**

- Code of Ethics Policy
- Positive Workplace Environment: Anti-bullying and Harassment Policy

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev.	_____	<input type="checkbox"/> Clerk's Office
<input type="checkbox"/> Development Services	_____	<input type="checkbox"/> Communications
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Finance
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> Fire Services
<input type="checkbox"/> Parks & Environment	_____	<input type="checkbox"/> ITS
<input type="checkbox"/> Economic Development	_____	<input type="checkbox"/> Solicitor
<input type="checkbox"/> Human resources	_____	<input type="checkbox"/> GIS
		External Agencies:
		<input type="checkbox"/> Library Board
		<input type="checkbox"/> NS Health
		<input type="checkbox"/> RCMP
		<input type="checkbox"/> Recreation Com.
		<input type="checkbox"/> Museum & Arch.
		<input type="checkbox"/> Other:



The Corporation of the District of North Vancouver

**CORPORATE POLICY MANUAL**

Section:	Administration	1
Sub-Section:	Council - General	0530
Title:	CODE OF ETHICS	11

**POLICY**

The District of North Vancouver has adopted a Code of Ethics which is applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. The Code of Ethics is outlined in Attachment 1 to this Policy.

**REASON FOR POLICY**

The purpose of the Code of Ethics is to ensure that:

1. public business is conducted with integrity, in a fair, honest and open manner;
2. members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
3. their conduct in the performance of their duties and responsibilities with District is above reproach; and
4. the decision-making processes are accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

**AUTHORITY TO ACT**

Retained by Council

Approval Date:	November 28, 2000	Approved by:	Regular Council
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

## CODE OF ETHICS

---

For members of  
District of North Vancouver Council  
and Council Appointees to Boards,  
Committees, Commissions and Task Forces ("members")

Adopted by the Council of the District of North Vancouver  
November 28, 2000

---

### Preamble

The residents and businesses of the District of North Vancouver are entitled to have fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the District of North Vancouver's Governance Principles and Corporate Values as described in the Corporate Business Plan, the District seeks to maintain and enhance the quality of life for all District residents through effective, responsible and responsive government. To help achieve this goal, members have committed to strive to ensure that:

- public business is conducted with integrity, in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
- their conduct in the performance of their duties and responsibilities with the District be above reproach; and
- the decision-making processes be accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

### Application of the Code

To this end, the Council of the District of North Vancouver has adopted a Code of Ethics applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. Unless otherwise specified, "members" is intended to include both members of Council and committees. The bodies which Council can appoint members to are referred to collectively as "committees" in the Code.

### **1. Act in the Public Interest**

Recognizing that the District seeks to maintain and enhance the quality of life for all District residents through effective, responsive and responsible government, members will conduct their business with integrity, in a fair, honest and open manner.

### **2. Comply with the Law**

Members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the *Constitution Act*; the *Provincial Human Rights Code*; the *Criminal Code*, the *Local Government Act*; *Community Charter*; laws pertaining to financial disclosures, and employer responsibilities; and relevant District bylaws and policies.

### **3. Conduct of Members**

The conduct of members in the performance of their duties and responsibilities with the District must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the staff or the public.

### **4. Respect for Process**

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the District Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by District staff. Members of committees shall be aware of the mandate of their respective committee, and act in accordance with it.

### **5. Conduct of Public Meetings**

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body; or otherwise disturb a meeting.

### **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

### **7. Communication**

Subject to paragraph 10, members shall publicly share substantive information that is relevant to a matter under consideration by the Council or a committee, which they may have received from sources outside of the public decision-making process.



#### **8. Conflict of Interest**

The Mayor and Councillors shall be aware of and act in accordance with Division 6 of the *Community Charter*, and shall fulfil part (c) of their *Oath of Office*. Other Members shall act in accordance with the Conflict of Interest provisions of Corporate Policy 1-0360-3.

#### **9. Gifts and Favours**

Members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the District, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member. A member may participate in District programs open to the public and may purchase District property or goods offered for public sale.

#### **10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel or legal affairs of the District. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

#### **11. Use of Public Resources**

Members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

#### **12. Advocacy**

Members shall represent the official policies or positions of the District Council or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council, their committee or the District of North Vancouver, nor will they allow the inference that they do.

#### **13. Policy Role of Members**

Members shall respect and adhere to the council-Chief Administrative Officer structure of government as practiced in the District of North Vancouver. In this structure, the Council determines the policies of the District with the advice, information and analysis provided by the public, committees, and District staff.

Members, therefore, shall not interfere with the administrative functions of the District or with the professional duties of District staff; nor shall they impair the ability of staff to implement Council policy decisions.



#### 14. Positive Work Place Environment

Members shall treat other members, the public and District staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Members shall be aware of and act in accordance with the ~~Corporate Harassment Policies 7-2585-1 and 7-2585-2~~ **Positive Workplace Environment: Anti-bullying and Harassment Policy**.

Formatted: Highlight

#### 15. Implementation

The District of North Vancouver Code of Ethics is intended to be self-enforcing. Members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions.

For this reason, the Code of Ethics will be provided to candidates for Council and applicants to committees. Members elected to Council or appointed to a committee will be requested to sign the Member Statement affirming they have read and understood the District of North Vancouver Code of Ethics. In addition, Council and committees shall review annually the Code of Ethics, and Council shall consider recommendations from committees and update the Code as necessary.

#### 16. Compliance and Enforcement

The District of North Vancouver Code of Ethics expresses standards of ethical conduct expected for members of the District Council and committees. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the District of North Vancouver.

Council may impose sanctions on members whose conduct does not comply with the District's ethical standards, such as motion of censure. Council may also rescind the appointment of a member to a committee for breaching the Code of Ethics.

To ensure procedural and administrative fairness, a member who is accused of violating any provision of the Code of Ethics with the exception of paragraph 14 shall have a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare his or her case to respond to these allegations. Before considering a sanction, Council must ensure that a member has

1. received a written copy of the case against him or her;
2. a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. an opportunity to be heard.

The procedures outlined in ~~Corporate Policy 7-2585-3 Complaint Resolution Procedures – Harassment~~ **the Positive Workplace Environment: Anti-bullying and Harassment Policy** *has have* been adopted by Council for dealing with a complaint under ~~the Policy 7-2585-1 and/or 7-2585-2~~ **Positive Workplace Environment: Anti-bullying and Harassment Policy** (see paragraph 14, above).

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council or committee decision.

\* \* \* \* \*

## MODEL OF EXCELLENCE

Council of the District of North Vancouver  
and Council Appointees to Boards,  
Committees, Commissions and Task Forces

### MEMBER STATEMENT

As a member of the District of North Vancouver Council or of a District committee, I agree to uphold the Code of Ethics adopted by the District and conduct myself by the following model of excellence. I will:

Recognize the diversity of backgrounds, interests and views in our community;

Help create an atmosphere of open and responsive government;

Conduct public affairs with integrity, in a fair, honest and open manner;

Respect one another and the unique role and contribution each of us has in making the District a better place to work and live;

Strive to keep the decision-making processes open, accessible, participatory, understandable, timely, just and fair;

Avoid and discourage conduct which is not in the best interests of the District;

Treat all people with whom I come in contact in the way I wish to be treated.

***I affirm that I have read and understood the District of North Vancouver Code of Ethics.***

Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Office / Committee



## The Corporation of the District of North Vancouver

### ADMINISTRATIVE AND OPERATIONAL POLICY

Title	Positive Workplace Environment: Anti-bullying and Harassment
Section	Human Resources

#### POLICY

It is a policy that the Corporation of the District of North Vancouver is committed to, and will be diligent in its efforts to provide, a work environment that treats employees with respect and is supportive of the personal dignity, self-esteem and well-being of staff.

Responsibility for creating and maintaining a positive workplace environment rests with all persons sharing our workplace, including Council members, all employees and volunteers. Bullying and harassment is not acceptable or tolerated in the workplace.

Replaces policies: Positive Workplace Environment 7-2585-1  
Anti-Harassment in the Workplace – Personal or Sexual 7-2585-2  
Complaint Resolution Procedures – Harassment 7-2585-3

Policy approved on: June 4, 2014

#### PROCEDURE

The following procedure is used to implement this policy but does not form part of the policy. This procedure may be amended from time to time at the discretion of the Chief Administrative Officer.

## 1. DEFINITIONS

**Bullying/Harassment:** Any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Examples of Bullying/harassment **may include the following:**

- Verbal aggression or insults; calling someone derogatory names
- Vandalizing a worker's belongings or work equipment
- Sabotaging a person's work
- Spreading malicious gossip or rumours about a person
- Engaging in harmful or offensive initiation practices
- Physical assault or threats (this would also constitute "violence")
- Making personal attacks based on someone's private life and/or personal traits
- Making aggressive or threatening gestures
- Engaging in targeted social isolation

Not every unpleasant interaction, instance of disrespectful behavior, or workplace conflict is considered bullying and harassment. Bullying and harassment **does not include:**

- Expressing differences in opinion
- Offering constructive feedback, guidance or advice about work-related behavior
- Reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment (ie. decisions relating to job duties, hours of work, workloads, deadlines, reorganizations, work instructions or feedback, performance management or evaluation, disciplinary actions)
- Properly discharged union responsibilities including the filing of grievances
- Making a legitimate complaint about someone's conduct through established procedures.

Whether any conduct or comment will constitute bullying and harassment will depend on the context, and whether the individual engaging in the conduct or comment knew or reasonably ought to have known that the worker subject to it would be humiliated or intimidated. Note that anyone engaging in offensive behavior cannot be "willfully blind" to its effects, nor can the behavior be excused on the basis that the person engaging in the behavior didn't intend it to humiliate or intimidate the worker.

**Complainant:** A worker who has brought forward or filed a complaint pursuant to the terms of this policy, alleging that bullying or harassment has occurred.

**External Investigator:** An individual from outside the organization contracted to investigate an incident



**Internal Investigator:** An individual within the organization assigned or designated to investigate an incident

**Respondent:** The person who responds or is in the position to defend his/her position, ie. the alleged bully or harasser

**Target:** Person(s) who is the focus of bullying/harassment

**Worker:** a person employed to perform a function or duty

**Workplace:** is not confined to District offices, buildings, vehicles or work sites. Also included are business travel, work-related social gatherings, internet communications or any other locations where the prohibited conduct may have a subsequent impact of the work relationship.

## **2. RESPONSIBILITIES**

### **Mayor and Council Members**

- Support this policy and procedures
- Not engage in bullying or harassment of workers, supervisors/managers or other Council members

### **Executive Management**

- Support and endorse this policy and procedures
- Ensure time and resources are available to conduct training, investigations etc.
- Not engage in bullying or harassment of workers, supervisors or other managers
- Complete all appropriate forms to document any incidents of bullying or harassment

### **Management/Supervisors/Foremen**

- Apply and comply with this policy and program
- Inform and train workers on this policy and program
- Ensure bullying/harassment is never endorsed or engaged in
- Take steps to prevent bullying and harassment
- Promote the process to report incidents and complaints of bullying and harassment
- Assist in the investigation of any incidents of bullying/harassment where necessary or required
- Not engage in bullying or harassment of workers, other supervisors or managers
- Complete all appropriate forms to document any incidents of bullying or harassment

### **Workers**

- Not engage in bullying or harassment of other workers, supervisors, or managers
- Report bullying and harassment observed or experienced in the workplace
- Complete all appropriate forms to document any incidents of bullying or harassment

- Apply and comply with the employer's policies and procedures on bullying and harassment

### **Investigators**

- Complete investigations free of bias
- Gather all required information to conduct a full and comprehensive investigation
- Provide follow up and recommendations to assist in eliminating reoccurrence

## **3. PROCEDURES FOR REPORTING INCIDENTS OF BULLYING/HARASSMENT**

Any person who believes that he or she is being harassed in breach of this Policy or who witnesses alleged harassment, is responsible for immediately advising his or her supervisor, manager, Human Resources or union representative.

If the supervisor or person acting on behalf of the employer is the alleged bully, the complaint should be submitted to Human Resources.

The Workplace Bullying and Harassment Complaint Form (attachment 1) may be completed. Information should include: the names of the parties involved; any witnesses to the incident(s); the location, date and time of the incident(s); details about the incident (behavior and/or words used). Any additional information, such as emails, notes, photographs or physical evidence like vandalized personal belongings should be submitted.

## **4. PROCEDURES FOR INVESTIGATING INCIDENTS OF BULLYING/HARASSMENT**

The purpose of an investigation is to determine whether bullying and harassment has occurred. Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- Be sensitive to the interests of all parties involved, and maintain confidentiality to the extent possible in the circumstances
- Be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- Incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process

### **a) Investigator Selection**

Most investigations will be conducted internally. Depending on the situation, the supervisor, Human Resources staff or other designate will conduct the investigation. In complex or

sensitive situations, an external investigator may be used. The Manager Human Resources or his/her designate will select the investigator.

If the complaint is made against the Mayor or a Council Member, Council will be provided information about the nature of the complaint at a closed meeting. The Chief Administrative Officer will appoint an external investigator to investigate the complaint. The external investigator shall be directed to make findings of fact and his/her conclusion as to whether the facts constitute harassment. Council will receive the report and make any directions as appropriate.

**b) Incident Review**

Investigations will include interviews with the complainant, the respondent, and any witnesses or involved parties. The investigator will also review any evidence, such as emails, notes, photographs, or physical evidence like vandalized objects. The investigator will report on the allegations, the responses, and the findings of fact. The Employer will determine if the Policy has been violated and will determine appropriate corrective/follow-up actions to take, if necessary.

**c) Determination of No Violation of Policy**

Not all unpleasant or inappropriate conduct amounts to bullying or harassment. If the allegations of the complaint would not constitute a violation of this policy or cannot be substantiated, the complainant will be informed of this decision in writing. Conduct such as rudeness, foul language and workplace conflict, which may not be deemed harassment, will be dealt with appropriately. Depending on the circumstance, resolutions may include: an apology; informal resolution; mediation or conflict resolution process; agreement on mutual expectations; training; commitment to cease the offending behavior; or disciplinary measures.

**d) Determination of Bullying/Harassment**

Where a determination of bullying or harassment has been substantiated, the Employer will take steps to address the issue in a timely manner. The complainant and respondent will be advised of the outcome in writing.

**e) Reprisals**

This policy and its procedures seek to prevent and remedy workplace bullying, harassment and discrimination. Any act of retaliation or reprisal against a person who raises a concern or makes a complaint under this policy is forbidden and may result in interim measures such as suspension, transfer or other discipline up to and including dismissal.

**f) Malicious Complaint**

The District recognizes that not every incident complained of will constitute bullying, harassment or discrimination. Determining whether a particular action or incident occurred and/or constitutes harassment or discrimination will depend on an evaluation of the facts, surrounding circumstances and applicable legal principles. A complainant reporting an event

in good faith and reporting truthfully will not be subject to negative consequences if the behavior complained of does not amount to bullying, harassment or discrimination.

However, the District believes that false allegations will have detrimental effects on innocent parties and the workplace. Where, as a result of an investigation, it is determined that a complaint was malicious, frivolous, vexatious or deliberately misleading, disciplinary action will be taken against the complainant.

## **5. REMEDIES**

In keeping with the procedures set out above, where a complaint is substantiated, corrective actions will be taken promptly to ensure the bullying and harassment stops. Appropriate remedies will be implemented on a case by case basis. This may include: education and training; mediation or other conciliatory processes; dealing with adverse symptoms; agreement on behavioral standards; temporary or permanent changes to reporting structures or work assignments; revising workplace procedures; and/or discipline up to and including termination of employment.

## **6. DISPUTING A DECISION**

If a complainant or respondent is not satisfied with the final decision in respect to the complaint, the following avenues may be considered:

- Unionized employees may consult with their Union about filing a grievance under the Collective Agreement. The timelines for filing a grievance will be applied.
- All others to whom this policy applies may appeal to the Chief Administrative Officer in writing within seven (7) days, outlining their reasons for disagreement with the outcome of the complaint. The CAO will issue a decision in writing which will then constitute the District's final decision.
- In the event of a breach of the BC Human Rights Code, any person has the right to file a complaint to the BC Human Rights Tribunal within the six month time limit stipulated under the Code. Only conduct related to the prohibited grounds of discrimination fall under the jurisdiction of the Tribunal.

WorkSafeBC's role is to ensure that the employer in question has adequate policies and procedures in place to address bullying and harassment, and that the employer conducts investigations into bullying and harassment complaints. WorkSafeBC's role is not to resolve or mediate any specific disputes or conflicts.



## **7. CONFIDENTIALITY**

All persons to whom this policy applies are expected to respect and preserve the confidentiality of any complaint and process under this Policy. Information will be disclosed only to the extent necessary to carry out these procedures, including the conduct of a fair investigation and the implementation of corrective/disciplinary measures, and where disclosure is required under lawful authority. As part of the fair investigation, the alleged bully will be advised of the complaint and provided an opportunity to respond. The department manager/supervisor may also be apprised of the complaint in order to provide information or implement corrective action. All District records are subject to the *Freedom of Information and Protection of Privacy Act*.

## **8. RECORD-KEEPING REQUIREMENT**

The District of North Vancouver will keep a written record of all investigations, including the findings, in the Human Resources department.

All workers will be provided with a copy of the policy when they are hired, and a copy is available on the District Junction intranet.

## **9. ANNUAL REVIEW**

The joint health and safety committee will engage in ongoing consultation regarding the nature and effectiveness of the bullying and harassment program by reviewing:

- The Positive Workplace Environment: Anti-Bullying and Harassment policy statement
- Steps taken to prevent or minimize workplace bullying and harassment
- The reporting procedures
- The procedures for dealing with incidents and complaints.



## WORKPLACE BULLYING AND HARASSMENT COMPLAINT FORM

### COMPLAINANT INFORMATION

NAME:	POSITION:
DEPT:	DATE:

### RESPONDANT INFORMATION (ALLEGED BULLY OR BULLIES)

NAME(S):
POSITION/RELATIONSHIP:

### PERSONAL STATEMENT

Please provide details on the bullying and harassment incident(s), including:

- Names of all parties involved
- Any witnesses to the incident(s)
- Location, date and time of the incident(s)
- Details about the incident(s) (behavior and/or words used)
- All other relevant information

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. Attach additional pages, as necessary.

Complaint form received by: (Name and Position) \_\_\_\_\_

Date: \_\_\_\_\_

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>January 12, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

December 16, 2014  
File: 01.0115.30/002.000

**AUTHOR:** James Gordon, Municipal Clerk

**SUBJECT:** Deep Cove Parking and Access Study Resolution - December 15, 2014

### RECOMMENDATION:

THAT the December 15, 2014 Council resolution on "Deep Cove Parking and Access Study: Finalizing the Plan" is rescinded.

*After rescission of the resolution, the following resolution would be in order under the new circumstances:*

THAT Deep Cove stakeholders be engaged in an independently-facilitated dialogue that results in an implementation plan for parking solutions;

AND THAT staff report back for Council's consideration of endorsement of a Deep Cove Parking Plan in early 2015.

### REASON FOR REPORT:

The reason for this report is to provide Council an opportunity to rescind the December 15, 2014 resolution on the Deep Cove Parking and Access Study and to retake the vote under different circumstances.

### BACKGROUND:

On December 8, 2014 the Committee of the Whole considered the Deep Cove Parking and Access Study. Prior to consideration, Councillor Hanson declared a potential conflict of interest in the matter as he owns land in Electoral Area A which he accesses via Deep Cove. After declaring the potential conflict Councillor Hanson left the meeting and the Committee subsequently voted to recommend to Council the following resolution:

THAT Deep Cove stakeholders be engaged in an independently-facilitated dialogue that results in an implementation plan for parking solutions;

AND THAT staff report back for Council's consideration of endorsement of a Deep Cove Parking Plan in early 2015.

This Committee recommendation was presented to Council at its regular meeting on December 15, 2014. When the item was considered by Council Councillor Hanson did not react quickly enough to interject in proceedings with his declaration of a potential conflict in the matter. Council voted on the matter and it was passed.

Councillor Hanson's situation arose in good faith:

- he had declared the potential conflict of interest previously at the public Committee of the Whole meeting;
- the District is still trying to perfect the Committee of the Whole reporting process; and,
- several different types of issues came before Council in quick succession leading up to the situation – specifically these were regular votes (to approve sets of minutes), the release of closed meeting decisions (decisions presented for public consumption but not requiring a vote), and ratification of Committee of the Whole recommendations to Council (committee recommendations requiring to be moved, seconded and voted upon).

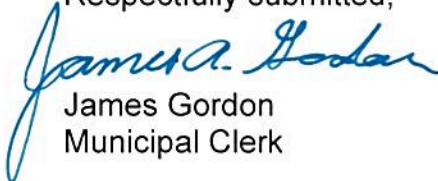
This series of items happens quickly and is familiar to experienced Councillors. Councillor Hanson was seeing this process for the first time on December 15. Further, having already stated his declaration once publically at the Committee of the Whole, Councillor Hanson did not have the opportunity to clarify with staff whether it had to be done again at the regular meeting or if the declaration “ran with the matter” through the remainder of its approval process.

The vote on the matter occurred with Councillor Hanson's inadvertent attendance. Proper procedure would have been to declare the potential conflict of interest again at the regular meeting, excuse himself and allow Council to vote.

**CONCLUSION:**

To remedy this procedural defect, it is suggested that Council rescind the December 15 vote on the matter, allow Councillor Hanson to declare his potential conflict and leave the meeting, and to then vote again on the matter.

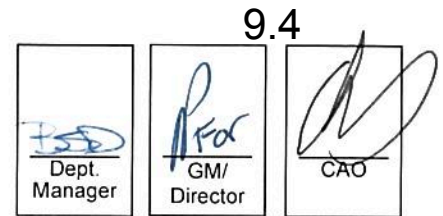
Respectfully submitted,



James Gordon  
Municipal Clerk



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>JAN 19, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

January 8, 2014  
File: 3060/20/046.14

**AUTHOR:** Kathleen Larsen, Community Planner

**SUBJECT:** 1378 Main Street –Toby's Restaurant – Transfer of Liquor Primary Licence from the Lynnwood Inn to Toby's Restaurant

---

### RECOMMENDATION:

**It is recommended that Council pass the following resolution in relation to the transfer of the Liquor Primary Licence from the now closed Lynnwood Inn at 1515 Barrow Street to Toby's Restaurant at 1378 Main Street.**

"Be it resolved that:

1. The Council recommends the transfer of the Liquor Primary Licence from the now closed Lynnwood Inn to Toby's Restaurant at 1378 Main Street for the following reasons:

*The requested transfer of the liquor licence is supported by District Council as the proposal will allow for the establishment to continue to operate as a family restaurant until 10 p.m. and then provide for an alternative late night adult venue. The establishment is located primarily within a commercial and industrial area and generally removed from residences.*

2. The Council's comments on the prescribed considerations are as follows:

- (a) The location of the establishment:

*The location is in an area removed from nearby residences and is suitable for a late evening entertainment venue and exterior patio where some late night noise at closing time can be anticipated. Any live or amplified music will be contained within the building.*

- (b) The proximity of the establishment to other social or recreational facilities and public buildings:

*The proposed location is in a commercial area/industrial area and will not conflict with any nearby social, recreation, or public buildings.*

- (c) The person capacity and hours of liquor service of the establishment:

*The maximum capacity of 168 people within the restaurant and 40 people on the patio is acceptable and remains unchanged from the current restaurant capacity requirements; and*

*Council recommends that the liquor primary licence be issued with the following closing hours which are in keeping with other liquor primary establishments in the surrounding area:*

<b>Days of the Week</b>	<b>Closing Hours</b>
<i>Monday through Thursday</i>	<i>1 a.m. the following morning</i>
<i>Friday and Saturday</i>	<i>2 a.m. the following morning</i>
<i>Sunday</i>	<i>12 a.m. midnight</i>

- (d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance from the establishment:

*Following the closure of the Lynnwood Inn the proposed transfer of the liquor licence will provide for a new licenced establishment in the area and fill a niche in the community for those wanting an alternative venue for adult socializing in the later evening. The closest alternative liquor primary establishments are Narrow's Pub (1970 Spicer Road) and Seymour's Pub (720 Lillooet Road).*

- (e) The impact of noise on the community in the immediate vicinity of the establishment:

*The location is in an area that is primarily commercial and light industrial area, therefore, noise concerns affecting the community in the immediate vicinity are expected to be minimal.*

- (f) The impact of the community if the application is approved:

*Negative impact on the community will be negligible. The restaurant will continue to function primarily as a restaurant until 10 p.m.; after 10 p.m. the restaurant will function as a pub with reduced kitchen services providing an alternative venue for late evening adult socializing.*

3. The Council's comments on the views of residents are as follows:

*To address the Provincial requirement staff completed the following notification procedure in accordance with District Public Notification Policy:*

- *A Public Notice sign was placed on the site; and*
- *A notice was sent out to all adjacent property owners and occupants requesting input on the proposal.*

*Two responses were received and both respondents supported the change to a liquor primary licence for Toby's Restaurant.*

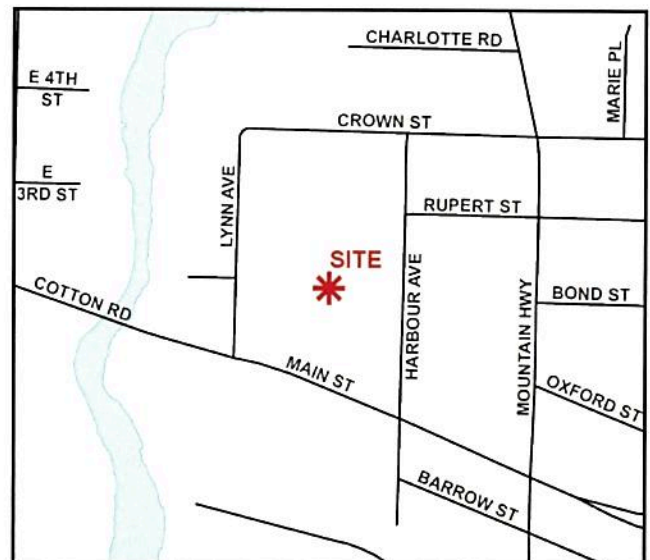
### **REASON FOR REPORT:**

Under Provincial liquor licensing regulations the application for the requested transfer of a Liquor Primary Licence must be accompanied by a resolution from the Municipal Council.

### **SUMMARY:**

Toby's restaurant recently made application to the Liquor Control Licensing Branch to transfer the existing Liquor Primary Licence from the now closed Lynnwood Inn to Toby's restaurant. A Council resolution for the Liquor Control and Licensing Branch is required as part of this process.

Staff are recommending support for the proposal which would change the liquor licence for Toby's Restaurant at 1378 Main Street from Food Primary to Liquor Primary. The liquor licence change would allow the restaurant to have limited kitchen service after 10 pm and provide for the following closing hours:



<b><i>Days of the Week</i></b>	<b><i>Closing Hours</i></b>
<i>Monday through Thursday</i>	<i>1 a.m. the following morning</i>
<i>Friday and Saturday</i>	<i>2 a.m. the following morning</i>
<i>Sunday</i>	<i>12 a.m. midnight</i>

### **PROPOSAL:**

An application has been made to the Liquor Control Licensing Branch to transfer an existing Liquor Primary Licence from the now closed Lynnwood Inn previously located at 1515 Barrow Street to Toby's restaurant at 1378 Main Street.



The requested change in licencing for the restaurant from Food Primary to Liquor Primary will:

- Allow for minors in the business up until 10 p.m. when accompanied by a parent or guardian;
- Allow the business to operate with reduced kitchen service after 10 p.m.;
- Allow the business to extend their hours from a current closing time of 11 p.m. to:

<b><i>Days of the Week</i></b>	<b><i>Closing Hours</i></b>
<i>Monday through Thursday</i>	<i>1 a.m. the following morning</i>
<i>Friday and Saturday</i>	<i>2 a.m. the following morning</i>
<i>Sunday</i>	<i>12 a.m. midnight</i>

The overall effect of the relocation of the Lynnwood Inn's Liquor Primary Licence, and the simultaneous cancellation of Toby's Food Primary Licence, will result in one less potential licensed establishment in the immediate vicinity.

## BACKGROUND

Toby's restaurant is on the south side of Harbour Front Centre located at 1378 Main Street. The centre is anchored by Canadian Tire and has a number of commercial buildings on the periphery of the site.

The existing CD27 zone allows for a variety of commercial uses including restaurants, retail and office/warehousing purposes.

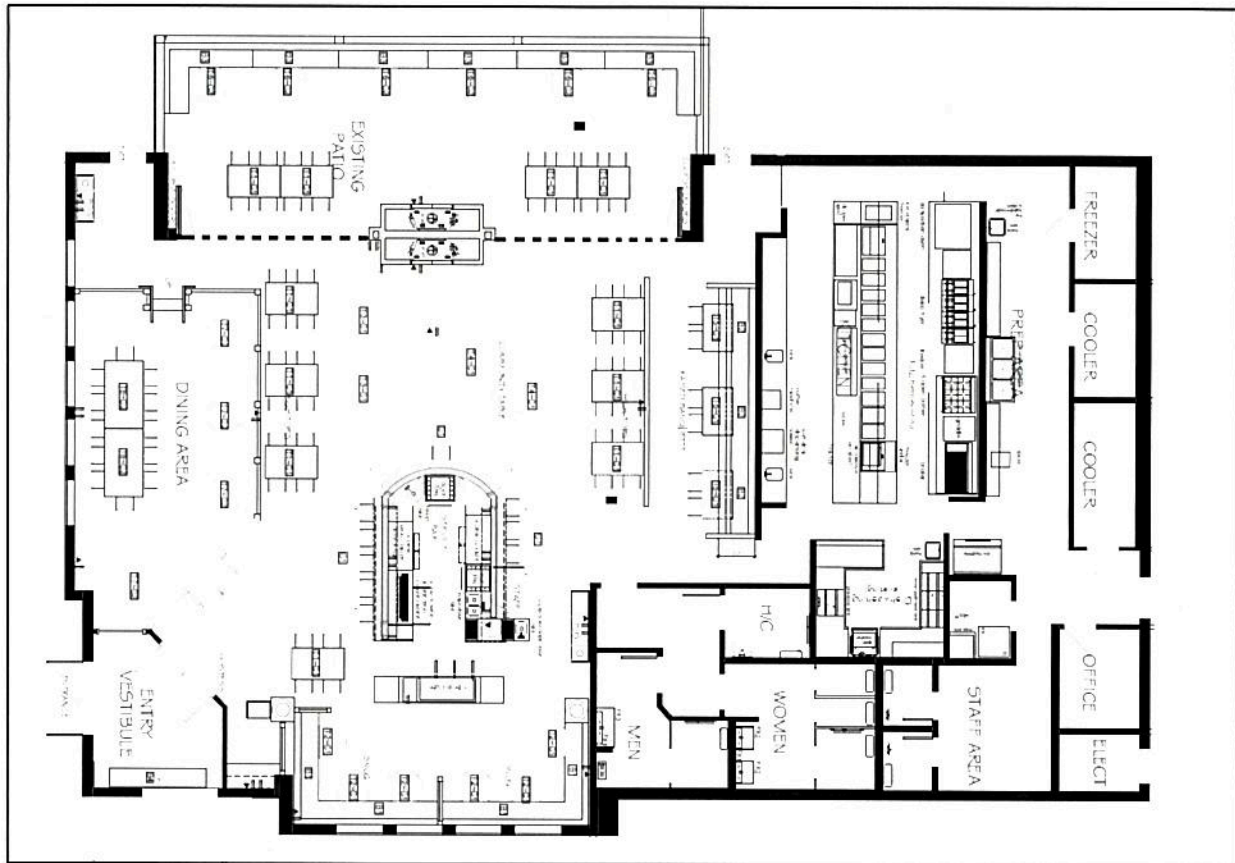
Toby's restaurant opened in 2014 in a building which was vacant for a number of years. The restaurant currently serves breakfast, lunch and dinner within a food focused Celtic pub atmosphere.

The adjacent map provides an indication of the existing land-uses and businesses operating within the vicinity of Toby's restaurant.





There is an existing patio located adjacent to Main Street on the south side of the building; the patio is walled with a 7 ft (approx.) high wall and provides seating for 40 patrons. The seating arrangement can be seen below:



The Harbour Front Centre and lands south of Main Street are designated Commercial within the OCP. Lands east of Harbour Front Centre are designated as Commercial/Residential Mixed Use Level 1 (seen in red); this designation is intended for general commercial/office uses with residential units above.

The closest mixed use development is located at 223 Mountain Highway which was built in the 1990's.



## **EXISTING POLICY AND PUBLIC INPUT:**

The Liquor Control and Licensing Branch requires that municipalities consider the potential impacts on a community prior to passing a motion on liquor licencing applications. To address the Provincial requirements staff completed the following notification procedures in accordance with District Public Notification Policy:

- A Public Notice sign was placed on the site; and
- A notice was sent out to all adjacent property owners and occupants requesting input on the proposal. (A total of 304 notice letters were sent on December 8, 2014 to the surrounding owners/occupants including the nearest mixed-use residential building located at 223 Mountain Highway).

The notification period closes on January 16, 2015 and any additional comments received will be provided to Council via agenda addenda prior to consideration. To date, two responses were received and both respondents supported the change to a liquor primary licence for Toby’s restaurant.

## **ANALYSIS:**

### *Potential Late Night Noise*

The impact on the surrounding community is expected to be minimal as the location of the restaurant is in an area that is primarily surrounded by commercial and quasi-industrial development. Furthermore, the restaurant’s patio is located on the south side of the building (adjacent to Main Street) and is surrounded by a 7 ft. high concrete wall. The location of the patio and height of surrounding wall would minimize any outdoor noise generated from patrons.

The applicant submitted a letter outlining the following noise mitigation measures availed to the restaurant:

- The restaurant has a double door vestibule;
- The building is of heavy industrial materials that will contain the sounds from the establishment;
- The patio is surrounded by a 7 ft. high concrete wall;
- Doormen and staff will instruct patrons to minimize noise while exiting the building and leaving the property;
- The type of occasional live music will be primarily one guitarist or a 2-4 piece band and volume controlled amplification will be utilized to maintain a level of sound that will be agreeable to neighbours.

### *Parking*

The site provides sufficient parking for the restaurant. During night time hours, the majority of surrounding uses are not open; therefore, the Harbour Front Centre offers ample parking for restaurant patrons.

*Future Land Uses Conflicts*

The establishment is anticipated to be compatible with future longer-term development further to the east along Main Street (multi-family development as designated in the OCP) as the patio area is oriented toward the street frontage along Main Street. Providing 1410 Main Street (U-Haul site) redeveloped to a mixed use development, all efforts would be incorporated into the development to mitigate any potential land use conflicts or potential noise concerns.

*Effects on Existing/Competing Businesses*

The closest liquor primary licences in the area are Seymour's Pub (720 Lillooet Road) and Narrows Pub (1970 Spicer Road). Seymour's Pub is licenced until 1:00 a.m. from Monday to Thursday and 2:00 a.m. on Friday and Saturday and midnight on Sunday. Narrows's Pub is licenced until 2:00 a.m. Monday to Saturday and midnight on Sunday.

Staff recommend that the liquor primary licence for Toby's be issued with a closing hour of midnight on Sunday night in order to reflect the Sunday night closing time of both of the closest pub establishments in the area. The proposed change in hours is included in the recommendation to the Liquor Control Board.

**CONCURRENCE:**

District Bylaw Enforcement, the North Shore Liquor Inspector and the RCMP have been given the opportunity to comment and have indicated they have no issues with the proposal.

**CONCLUSION:**

The proposed change to the restaurant's liquor licence will allow for a new venue in the area that is likely to appeal to the local developing community. As the business is located in an area that is primarily commercial and industrial the impact on traffic and surrounding neighbours will likely be minimal. Staff recommend however that the closing hour on Sunday night be restricted to midnight to match those of other licenced establishments in the area.

**OPTIONS:**

1. That Council pass a resolution which supports the requested change in liquor licencing for Toby's restaurant located at 1378 Main Street from Food Primary to Liquor Primary (staff recommendation); or
2. That Council pass a resolution not supporting the liquor license application submitted by Toby's Restaurant.

  
Kathleen Larsen  
Community Planner



**SUBJECT:** 1378 Main Street –Toby's Restaurant – Transfer of Liquor Primary Licence  
from the Lynnwood Inn to Toby's Restaurant

January 8, 2014


Page 8


REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

## AGENDA INFORMATION

☒ Regular MeetingDate: JAN 19 2015☐ Workshop (open to public)

Date: \_\_\_\_\_

  
 For  
 Dept.  
 Manager

  
 GM/  
 Director

  
 CAO

## The District of North Vancouver REPORT TO COUNCIL

January 8, 2015

File: 08.3060.20/036.14

**AUTHOR:** Natasha Letchford, Planner**SUBJECT:** Bylaw 8095 (Rezoning Bylaw 1321): Subdivision of 3967 Hoskins Road**RECOMMENDATION**

THAT the "District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095) to allow for two 10.8m lots at 3967 Hoskins Rd is given FIRST reading;

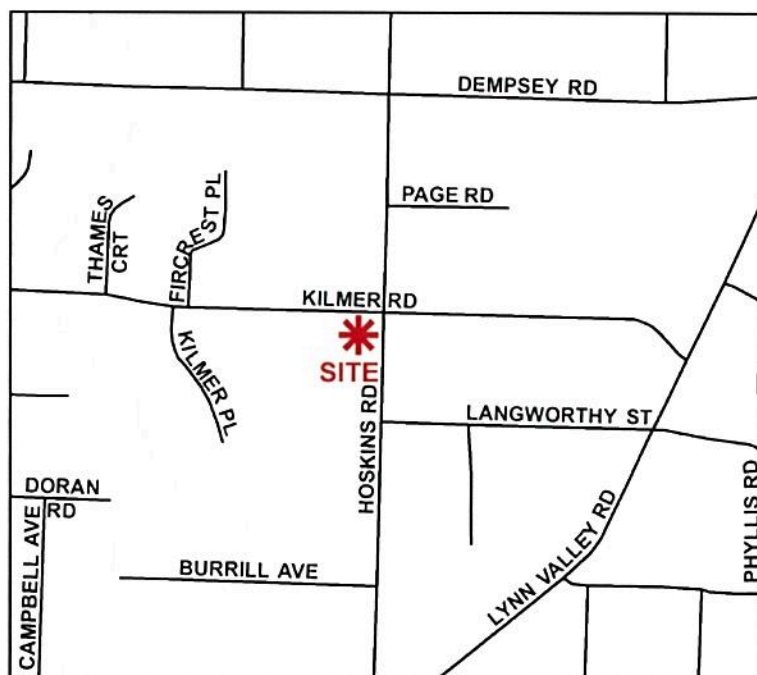
AND THAT the "District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095)" is referred to a Public Hearing.

**REASON FOR REPORT**

The proposed subdivision requires an amendment to the Zoning Bylaw to establish specific lot size regulations for the subject property.

**SUMMARY**

In order to create two 10.8m lots (35.5 ft), the site must be added to Section 310 Special Minimum Lot Sizes in the Zoning Bylaw. The two proposed lots will be 10.8m in width and 437m<sup>2</sup> in area. This report is for a rezoning only; if the rezoning is successful, the applicant may then apply for a subdivision.



## EXISTING POLICY

### Official Community Plan

The subject property is designated as Residential Level 2: Detached Residential (RES2). For reference, the Lynn Valley Community Plan designates the property as Long Term Single Family. Both designations are consistent with the proposed zoning amendment.

### Zoning

The property is currently zoned RS4 (Single Family Residential 6000 Zone).

	RS4 ZONE	PROPOSED LOTS
<b>Lot Width</b>	15 m (49 ft)	10.8 m (35.5 ft)
<b>Lot Depth</b>	34 m (111 ft)	40.2 m (132 ft)
<b>Lot Area</b>	550 m <sup>2</sup> (5,920 sq. ft.)	437 m <sup>2</sup> (4,703 sq. ft.)

To move forward with this proposal, Section 310 of the Zoning Bylaw (Special Minimum Lot Size Regulations) will need to be amended to establish minimum lot size regulations as the proposed lots do not comply with the minimum RS4 zone lot size requirements outside of adopted small lot infill areas (SLIAs).

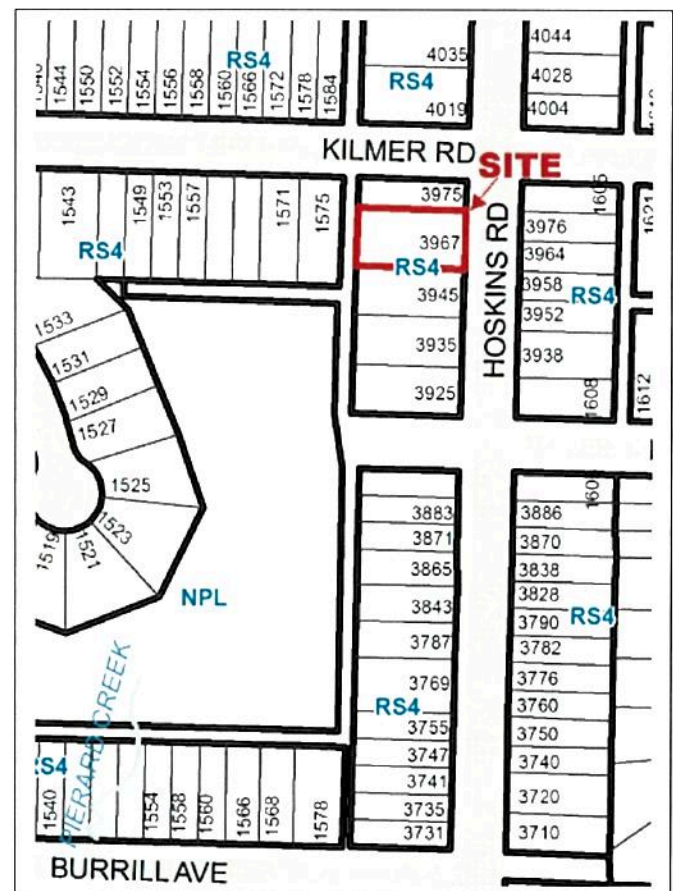
## ANALYSIS

### Site and Surrounding Area

The subject lot is 21.6m (71 ft) wide, 874 m<sup>2</sup> (9,406 sq. ft.) in area, is zoned RS4 (Single Family Residential 6000 Zone) and is occupied by a single family dwelling. The surrounding area is characterized by single-family development and is zoned RS4. Doran Park is located to the southwest of the subject lot. The subject lot is not located within any development permit areas.

### Approving Officer's Best Practices

The proposed subdivision is compatible with the existing lot pattern of the larger block face between Kilmer Road and Burrill Ave – 11 of the 17 properties (65%) are small lots i.e. 13.875m (45 ft) or less in width. In the block face of the 3900 block, only one of the five lots are small lots. According to the Approving Officer's best practices, if 50% or more of the block face is developed as small lots than consideration will be made for a small lot subdivision. While in strict terms of block face,





the proposal does not meet the Approving Officer's Best Practices, consideration should be given in this case due to the proximity of the subject lot to adopted SLIAs and the existing small lot pattern in the larger block face.

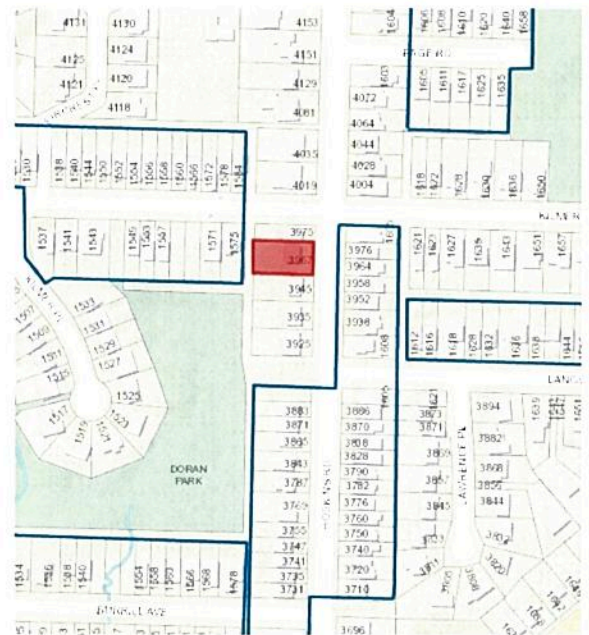
Secondary suites for this subdivision will be prohibited and secured by way of a covenant, as per the Approving Officer's best practices. In addition, a covenant will be required ensuring the new houses have unique designs.

### Trees

None of the trees on the property are protected by bylaw. A total of thirteen trees are proposed to be removed from the site, six of the trees will be removed due to poor health and seven trees will be removed to accommodate the new houses. The property backs onto an undeveloped District lane and all of the trees in the laneway are protected by bylaw. There is one District hemlock tree in the lane which will be protected during construction and there is a second District hemlock in poor condition which will be removed - three trees will be required to be planted as replacements. One neighbourhood comment was received in regards to tree removal and they requested that some trees and landscaping be replaced. The Approving Officer is requiring that seven new trees be provided, distributed between the two lots, to mitigate tree loss and enhance future tree cover. A total of ten new trees will be planted.

### Green Building Requirement:

As implementation of this proposal will require an amendment to the Zoning Bylaw, compliance with the District's Green Building Strategy is mandatory. A covenant on each proposed new lot requiring that the new homes meet or exceed an Energuide 80 energy efficiency rating and achieve a Built Green™ "Gold" equivalency will be required prior to subdivision approval.



Small lot infill areas outlined in blue



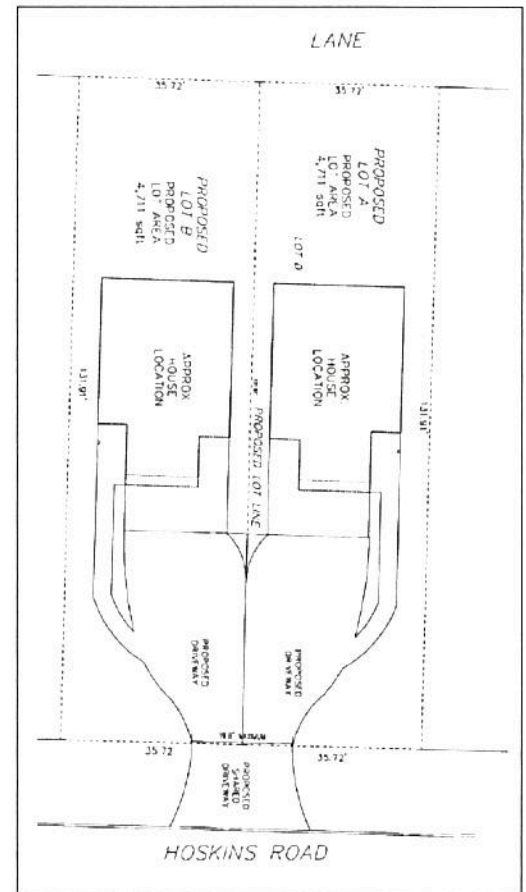
### Public Input

A notification letter was sent to the owners/occupants within a 75m radius as per the public notification policy (Administrative Policy 8-3060-3). One neighbour from across the street wrote in support of the proposed subdivision provided sufficient landscaping is maintained or replaced; replanting will be required as a condition of subdivision. No other neighbour comments were received.

The Lynn Valley Community Association was notified and did not comment on the proposal.

### **CONCLUSION**

The proposed subdivision is compatible with the existing lot pattern in the wider subject block and the proposal incorporates the Approving Officers' enhanced best practices for infill subdivisions. Bylaw 8095 (Attachment A) is ready to be considered for First Reading and referral to Public Hearing.



### **Options:**

The following options are available for Council's consideration:

1. Provide First Reading to Bylaw 8095 and refer the bylaw to a Public Hearing (staff recommendation); or,
2. Defeat Bylaw 8095 at First Reading First Reading and thereby delete the subdivision proposal.

Natasha Letchford  
Planner

### **Attachments:**

- A. District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095)



REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____ <input type="checkbox"/> Development Services _____ <input type="checkbox"/> Utilities _____ <input type="checkbox"/> Engineering Operations _____ <input type="checkbox"/> Parks & Environment _____ <input type="checkbox"/> Economic Development _____ <input type="checkbox"/> Human resources _____	<input type="checkbox"/> Clerk's Office _____ <input type="checkbox"/> Communications _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Services _____ <input type="checkbox"/> ITS _____ <input type="checkbox"/> Solicitor _____ <input type="checkbox"/> GIS _____	External Agencies: <input type="checkbox"/> Library Board _____ <input type="checkbox"/> NS Health _____ <input type="checkbox"/> RCMP _____ <input type="checkbox"/> Recreation Com. _____ <input type="checkbox"/> Museum & Arch. _____ <input type="checkbox"/> Other: _____

# The Corporation of the District of North Vancouver

## Bylaw 8095

A bylaw to amend the District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

### 1. Citation

This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1321 (Bylaw 8095)".

### 2. Amendments

The District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

2.1 Part 3A Subdivision Requirements is amended by inserting a new row into the table in Section 310 Special Minimum Lot Sizes as follows:

Legal Description	Location	Area (square metres)	Width (metres)	Depth (metres)
Lot D Block 6 District Lot 2088 Plan 4644	3967 Hoskins Road	437m <sup>2</sup>	10.8m	40.2m

**READ** a first time

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

**ADOPTED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>JAN. 19, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

*[Signature]*  
 Dept.  
 Manager

*[Signature]*  
 GM/  
 Director

*[Signature]*  
 CAO

## The District of North Vancouver REPORT TO COUNCIL

January 7, 2015

File: 08.3060.20/037.14

**AUTHOR:** Kathleen Larsen, Community Planner

**SUBJECT:** Bylaw 8098 (Rezoning Bylaw 1323): Subdivision of 2698 Violet Street

### RECOMMENDATION

THAT the District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098) to allow for two 10m lots at 2698 Violet Street is given FIRST reading;

AND THAT the District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098) is referred to a Public Hearing.

### REASON FOR REPORT

The proposed subdivision requires an amendment to the Zoning Bylaw to establish specific lot size regulations for the subject property.

### SUMMARY

In order to create two 10m (33 ft) lots, the site must be added to Section 310 Special Minimum Lot Sizes in the Zoning Bylaw. The proposed subdivision is consistent with the majority of lots along the 2600 Block of Violet Street.

### EXISTING POLICY

#### Official Community Plan

The subject property is designated "Residential Level 2: Detached Residential" in the Official Community Plan and for reference as "Single-Family Residential" in the Seymour Community Plan. The proposal is consistent with the land use designations.



### Zoning

The property is currently zoned RS4 (Single Family Residential 6000 Zone). This block is not within an existing small lot infill area (SLIA). The following table compares the current minimum RS-4 requirements with the proposed lot sizes:

	RS4 Zone	Proposed Lots
Lot Width	15m (49.2 ft)	10m (33 ft)
Lot Depth	34m (111.5 ft)	47.2m (154.84 ft)
Lot Area	550m <sup>2</sup> (5,920 sq ft)	474.73m <sup>2</sup> (5,110 sq ft)

To move forward with this proposal, Section 310 of the Zoning Bylaw (Special Minimum Lot Size Regulations) will need to be amended to establish minimum lot size regulations as the proposed lots do not comply with the minimum RS4 zone lot size requirements outside of adopted SLIAs.

### **ANALYSIS**

#### Subdivision Proposal

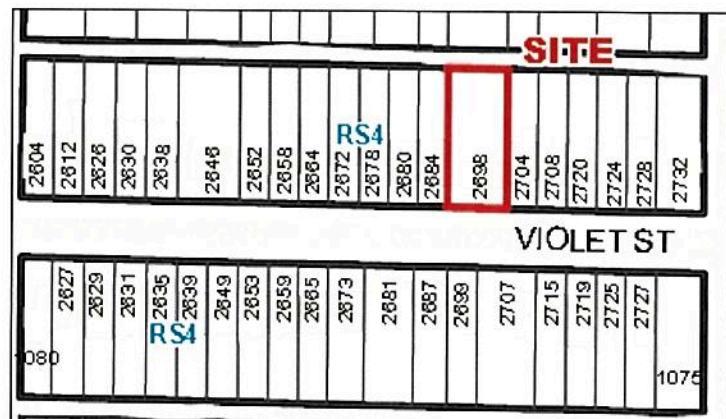
This application is to subdivide the property into two 10m (33 ft) lots and to demolish the existing home on the property. In keeping with Development Servicing Bylaw requirements, vehicle access to the property will be from the existing open rear laneway.

#### Site & Surrounding Area

The subject lot is 20m (66 ft) wide, zoned RS4 (Single Family Residential 6000) and is occupied by a single family dwelling. The surrounding area is characterized by single-family development and is zoned Single-Family Residential 6000 (RS4). The subject lot is not located in any development permit areas.

The 1987 Small Lot Infill Report identified a number of potential small lot infill areas (SLIAs) that had an existing pattern of small lots. The 2600 block Violet, between Lytton Street and Emerson Way, is identified as a potential SLIA in the 1987 report, but was never adopted in the zoning bylaw.

Rezoning and subdivision within potential SLIA's are considered on a case by case basis having regard to area lot pattern, access and servicing, neighbourhood input and the Approving Officer's suite of enhanced best practices discussed with Council in late 2013.





### Approving Officer's Best Practices

The proposed subdivision is compatible with the existing lot pattern of the block face between Lytton Street and Emerson Way – 17 of the 20 properties (85%) are small lots i.e. 13.875m (45 ft) or less in width. According to the Approving Officer's best practices, if 50% or more of the block face is developed as small lots then consideration will be made for a small lot subdivision. The majority of the lots on the block face are 10m (33ft) lots.

Following the Approving Officer's enhanced best practices guidelines, a covenant will be required on each proposed new lot to ensure that the new houses have unique designs.

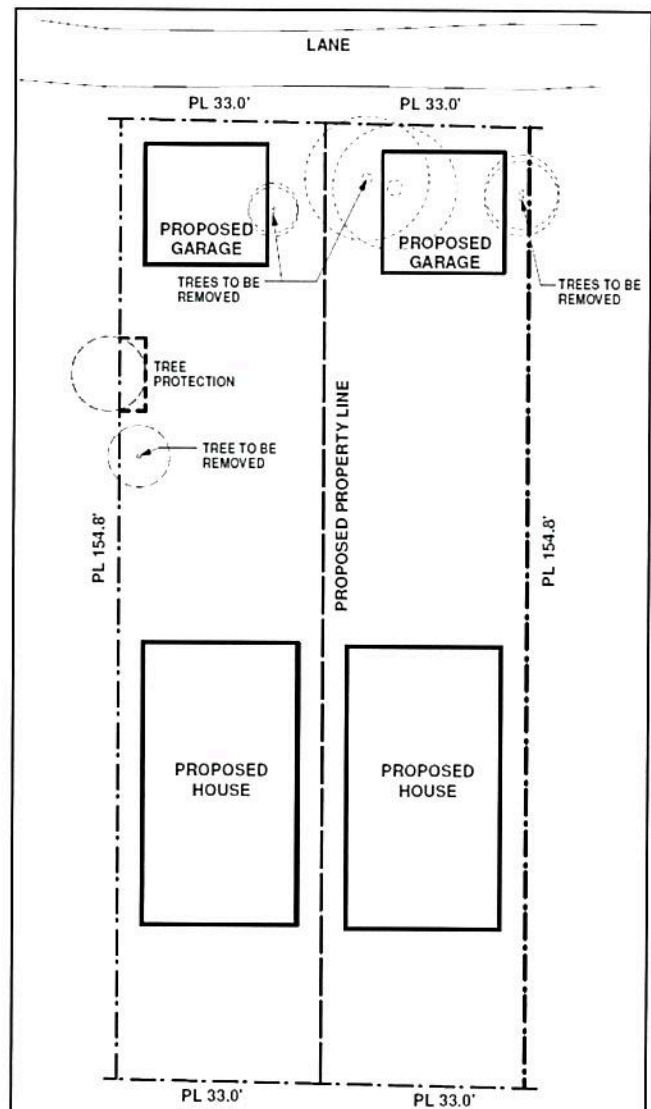
Secondary suites will be permitted in both of the proposed new homes as the property has access from an open rear lane. Three parking stalls will be provided in a non-tandem arrangement, secured by way of covenant, and in compliance with the Development Servicing Bylaw. Parking will be accessed from the open rear lane.

### Trees

There is scattered tree cover on this site and none of the trees are protected by bylaw. Two red alders are proposed for removal due to poor health. Two maple trees and a hemlock hedge are proposed to be removed to make way for the new houses. A mature plum tree will be retained on the west property line. No neighbourhood concerns were raised regarding tree removal. The Approving Officer will require that one new tree be provided on each lot to mitigate tree loss and enhance future tree cover.

### Green Building Requirement:

As implementation of this proposal will require an amendment to the Zoning Bylaw and a subdivision, compliance with the District's Green Building Strategy is mandatory. A covenant on each proposed new lot requiring that the new homes meet or exceed an Energuide 80 energy efficiency rating and achieve a Built Green™ "Gold" equivalency will be required prior to subdivision approval.



Public Input:

A notification letter was sent to the owners/occupants within a 75m radius as per the public notification policy (Administrative Policy 8-3060-3). No neighbour comments were received.

At the preliminary application stage one neighbour had a concern about potential view loss resulting from the height of garage structures at the rear lane. The maximum permitted height for a flat roof garage in the RS4 zone is 3.66m (12 ft) so to address the neighbour's concern the applicant has submitted plans for two garages each designed with a flat roof and a maximum height of 3.0m (10 ft).

These plans were reviewed and accepted by the affected neighbour as part of the detailed application process. The registration of restrictive covenants on each of the two proposed lots prior to subdivision approval will ensure that the garages are constructed as proposed.

The Seymour Community Association was notified and did not comment on the proposal.



## CONCLUSION

The proposed subdivision is compatible with the existing lot pattern in the subject block and the proposal incorporates the Approving Officer's enhanced best practices for infill subdivisions. Bylaw 8098 (Attachment A) is ready for Council consideration of First Reading and referral to a Public Hearing.



## OPTIONS

The following options are available for Council's consideration:

1. Provide First Reading to Bylaw 8098 and refer the bylaw to a Public Hearing (staff recommendation); or,
2. Defeat Bylaw 8098 at First Reading and thereby delete the subdivision proposal.

  
for Kathleen Larsen  
Community Planner

### Attachments:

- A. District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098)

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

# The Corporation of the District of North Vancouver

## Bylaw 8098

A bylaw to amend The District of North Vancouver Zoning Bylaw 3210, 1965  
(2698 Violet Street)

The Council for The Corporation of the District of North Vancouver enacts as follows:

### 1. Citation

This bylaw may be cited as "The District of North Vancouver Rezoning Bylaw 1323 (Bylaw 8098)".

### 2. Amendments

The following amendments are made to the "District of North Vancouver Zoning Bylaw 1965":

- a. Part 3A Subdivision regulations is amended by adding a new row to the table in Section 310 Special Minimum Lot Sizes as follows:

Legal Description	Location	Area (square metres)	Width (metres)	Depth (metres)
Lot D, Blocks 5 and 6, District Lot 580, Plan 3842	2698 Violet Street	474m <sup>2</sup>	10m	47m

**READ** a first time

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

**ADOPTED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk



AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Workshop (open to public)	Date: _____

Dept. Manager	GM/ Director	CAO
------------------	-----------------	-----

## The District of North Vancouver

### REPORT TO COUNCIL

January 12, 2015

File:

**AUTHOR:** Councillor Doug MacKay-Dunn

**SUBJECT:** Council of Councils Meeting: North Shore Transportation Issues

---

#### RECOMMENDATION:

1. THAT the District of North Vancouver Council call on the Councils of North Vancouver City and West Vancouver to agree to form a tri-municipal Transportation Working Group to review the current North Shore Area Transit Plan; the proposed TransLink 10 Year Investment Plan; and any other relevant transportation plans to determine where gaps exist to meet North Shore public transportation needs, and
2. THAT the District of North Vancouver Council request the convening of a North Vancouver Council of Councils meeting at the earliest opportunity, and well before the referendum, to review the finding of the working group and clarify and communicate the public transportation needs and demands of the North Shore to the TransLink and the Province as they relate to the existing and proposed plans.

#### BACKGROUND:

The transportation referendum debate opens the door for improvements to the North Shore transportation network. The Community of the North Shore is crying out for improvements to transportation across the North Shore. It is tired of traffic congestion causing delays and would welcome dependable and consistent alternatives to using private vehicles.

While it is important to look at transportation from a regional perspective, local and sub-regional needs should not be forgotten. The facts are that it is very difficult to get around the North Shore using public transit. Specifically seniors and youth are the most affected by the current program of rationalizing routes based on usage and the impact on them is not given the attention they deserve. There are numerous examples across

the North Shore, some local examples include:

1. The cancelling of the C:15 Deep Cove to Parkgate route used by seniors to access the Parkgate Community Centre programs
2. Line-ups of Capilano students being left at Phibbs Exchange causing them to be late for class because the incoming buses are already full
3. Pass-bys on stops close to Capilano on Marine Drive, again because the buses are already full

Gridlock is a daily occurrence and it is taking longer to travel across the North Shore. Much of the gridlock is directly attributable to limited capacity on the three transportation routes south of the North Shore (Second Narrows Bridge, SeaBus and Lions Gate Bridge); woefully inadequate and unsafe interchanges with Highway 1; and a lack of east to west routes that are independent of the Provincial transportation system. It is time for the North Shore communities, through a North Shore Council of Councils, to understand the transportation concerns of all three communities, to ensure that they will be addressed as a result of either a positive referendum vote or direct action by the Provincial Government in partnership with the North Shore municipalities.

The working group should:

1. Review the North Shore Area Transit Plan; the TransLink Mayors Council Long Term Vision; the proposed 10 Year Implementation Plan; and any other relevant municipal or provincial plans
2. Compare the potential impact of these plans with respect to addressing the transportation concerns and priorities on the North Shore; identify concerns which will not be addressed and prepare a prioritized North Shore Transportation Needs Report for presentation to and discussion with the Council of Councils

The Council of Councils is likely the most effective way to capture and document the transportation concerns and issues on the North Shore and convey our demands in one voice to the Province and TransLink. Transportation improvements promised to the North Shore, for in some case, for decades have not been delivered. This has resulted in severe congestion at certain times of day; compromises to the delivery of emergency services; economic loss; reduced confidence in TransLink; push back on development included in our respective Official Community Plans; and a general questioning of whether or not the North Shore, which pays significant fees and charges to TransLink, is receiving the requisite benefits. This is especially important as North Shore citizens are called upon to vote in the upcoming Referendum, which if successful, will result in them paying .5% more in sales tax for transportation improvements.

**SUBJECT: Council of Councils Meeting: North Shore Transportation Issues**

January 12, 2015

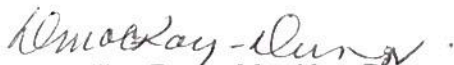
Page 3

**Conclusion:**

The Transportation referendum will ask the people for more money to fund transportation infrastructure and old unfulfilled promises will be re-promised. It is up to the political leadership of the North Shore to be clear on what is needed and communicate this to TransLink and the Province. We must speak with one voice. If we do not, as has happened in the past, we run the risk of being ignored in favour of the transportation needs of other communities and yet will pay for those improvements. The effect of one voice clearly enunciating our Communities' concerns is powerful and will enable us to hold TransLink and the Province accountable for delivering on their promises.

Finally, as any student of politics will remember the famous observation of the defeated American Congressman who later, once re-elected, went on to become the Speaker of the House of Representatives, when he said on the night of his defeat that he had been spending too much of his time away from his district. "Tip" O'Neil said that night, "All politics is local!" Let us not forget the advice of this "icon" and focus our efforts on local transportation issues.

Respectfully submitted,

  
Councillor Doug MacKay-Dunn

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

THIS PAGE LEFT BLANK INTENTIONALLY